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12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA
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15 AHUDI, LLC, FORMOSTAR LLC,) 2:09-cv-01429-HDM-RJJ
16 Plaintiffs,)
17 vs.) ORDER
18 JOYCE PETERS, et al.,)
19 Defendants.)
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21 The court, having conducted a hearing on plaintiff's motion
22 for default judgment and for permanent injunction on January 20,
23 2011, and having heard the argument of counsel and considered the
24 pleadings and papers submitted by the parties, hereby finds as
25 follows:

26 1. Defendant Elektro Medical Geraetebau GmbH ("EMG") has been
27 properly served with the summons and complaint in this action;

28 2. EMG has failed to plead or otherwise defend as required by

1 said summons and the Federal Rules of Civil Procedure, and as such,
2 the court entered default against EMG on December 21, 2010;

3 3. The court previously entered default judgment against
4 defendants Joyce Peters ("Peters") and Mind Body Health Programs,
5 Products, Publications & Practice Expansions, Inc. ("Mind Body")
6 and in favor of the plaintiffs in the sum of \$112,500;

7 4. It appears from the plaintiff's affidavit and the record
8 herein that due to the actions of the defendants, the plaintiffs
9 have sustained damages in the amount of \$321,500.

10 5. The defendants have failed to respond to either the
11 plaintiffs' motion for restraining order and preliminary injunction
12 or the plaintiff's motion for permanent injunction;

13 6. The defendants have engaged in conduct that infringes upon
14 the plaintiffs' "Formostar" mark; and

15 7. The plaintiffs have suffered irreparable injury as a result
16 of the defendants' infringing conduct, and the remedies available
17 at law are inadequate to fully compensate for said injury.

18 For the foregoing reasons, the court hereby orders, adjudges,
19 and decrees as follows:

20 1. Pursuant to Federal Rule of Civil Procedure 55(b)(2),
21 default judgment is hereby entered against EMG and in favor of
22 plaintiffs in the amount of \$321,500;

23 2. The plaintiffs' motion for permanent injunction is hereby
24 **GRANTED**. The defendants and their respective officers, agents,
25 servants, employees, and/or all persons acting in concert or
26 participation with the defendants are hereby permanently enjoined
27 from using the plaintiffs' "Formostar" mark or confusingly similar
28 variations thereof, alone or in combination with any other letters,

1 words, letter strings, phrases or designs, in commerce or in
2 connection with any business or for any purpose whatsoever,
3 including but not limited to, on products, on websites, and in
4 domain names containing the plaintiffs' "Formostar" mark or
5 confusingly similar variations thereof, alone or in combination
6 with any other letters, words, phrases, or designs;

7 3. The defendants are hereby ordered to immediately cease and
8 desist all use of the domains <formostar.com> and <formostar.org>
9 and any and all variants thereof; and

10 4. The defendant EMG shall immediately transfer to the
11 plaintiffs, Ahudi, LLC and Formostar LLC, the domains
12 <formostar.com> and <formostar.org>, both presently registered to
13 and in the possession of defendant EMG, and any and all variants
14 thereof. The defendants are ordered to take any and all actions
15 necessary to effectuate the transfer if so required by the domain
16 registrar.

17 **IT IS SO ORDERED.**

18 DATED: This 21st day of January, 2011.

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20 UNITED STATES DISTRICT JUDGE
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